

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-1178

In re: CHRISTOPHER LAMONT BULLOCK,

Petitioner.

On Petition for Writ of Mandamus. (5:12-hc-02260-BO)

Submitted: May 1, 2013

Decided: May 13, 2013

Before WILKINSON, KING, and AGEE, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Christopher Lamont Bullock, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Christopher Lamont Bullock petitions for a writ of mandamus, challenging his state court convictions as a violation of the Double Jeopardy Clause. We conclude that Bullock is not entitled to mandamus relief.

Mandamus relief is a drastic remedy and should be used only in extraordinary circumstances. Kerr v. U.S. Dist. Court, 426 U.S. 394, 402 (1976); United States v. Moussaoui, 333 F.3d 509, 516-17 (4th Cir. 2003). Further, mandamus relief is available only when the petitioner has a clear right to the relief sought. In re First Fed. Sav. & Loan Ass'n, 860 F.2d 135, 138 (4th Cir. 1988). Mandamus may not be used as a substitute for appeal. In re Lockheed Martin Corp., 503 F.3d 351, 353 (4th Cir. 2007).

The relief sought by Bullock is not available by way of mandamus. Accordingly, although we grant leave to proceed in forma pauperis, we deny the petition for writ of mandamus. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

PETITION DENIED